MICHIGAN LEGISLATURE

SUBPOENA

Order to Produce Documents

IN THE NAME OF THE SENATE OVERSIGHT COMMITTEE
AND HOUSE OVERSIGHT COMMITTEE

Pursuant to the authority provided to the Legislature, the Senate Oversight Committee, and the House Oversight Committee by Michigan law, including but not limited to Sections 16 and 17 of Article IV of the 1963 Constitution of the State of Michigan, MCL 4.101, MCL 4.541, Senate Resolution 150 of 2020, House Resolution 342 of 2020, and the rules of the Michigan Senate and Michigan House of Representatives:

To:
Janice J. Winfrey, City Clerk, Detroit
City Clerk's Office
Coleman A. Young Municipal Center
2 Woodward Ave. Suite 200
Detroit, MI 48226

You are ordered to produce, for the Committee's examination, the documents and communications listed in Appendix A to this Subpoena, under "Document Requests."

Provide the requested documents and communications either in person, by certified mail, or by electronic mail submission no later than **5 p.m. on Tuesday, January 12, 2021** to:

Chairman Senator Ed McBroom
201 Townsend Street Suite #7200
Lansing, MI 48933
EMcBroom@senate.michigan.gov

Failure to obey the commands of this Subpoena may be punished as contempt of the Legislature, in addition to any other remedy available by law.

Sen. Ed McBroom, Chairman
Senate Oversight Committee

Rep. Matt Hall, Chairman
House Oversight Committee

Signed or attested before me on the 15th day of December, 2020.
Signature
Printed Name Angela L. Allen
Notary Public, State of Michigan, County of Ingham
My Commission Expires May 26, 2022

ANGELA L ALLEN
Notary Public - Michigan
Ingham County
My Commission Expires May 26, 2022
Acting in the County of Ingham

APPENDIX A

DEFINITIONS AND INSTRUCTIONS

1. The term "communication" shall be interpreted in its broadest sense and means the transmittal of information by any means including oral, written, or electronic.

2. The term "documents" means and includes, without limitation, all written or graphic matter of every kind and description, however produced or reproduced, whether draft or final, original or reproduction, internal or otherwise, whether stored in tangible, electric, mechanical, or electronic form or representation of any kind.

3. "Relating to" or "related to" mean referring to, reflecting, concerning, or pertaining to in any manner, logically, factually, indirectly, or directly to the matter discussed.

4. "AVCB" means the City of Detroit absentee voter counting board in the 2020 general election.

5. "AV" means absentee voter.

6. "QVF" means qualified voter file.

7. Unless otherwise stated, the requests below pertain to the 2020 general election.

8. Documents, communications, and records must be produced in a form that is reasonably usable, such as fully unitized and text-searchable PDFs or native files, and in native format for Excel / spreadsheets and database files.

9. The requests below do not seek, and should not be construed as seeking, the production of documents subject to a valid claim of privilege. If you object to a request on the ground of privilege, please produce (with redaction if appropriate) any portion of such document or its attachments over which you do not claim privilege. Please also produce a privilege log that uniquely identifies each document withheld in whole or part, along with its author and each recipient, date, subject matter, and the privilege asserted.

DOCUMENT REQUESTS

1. All plans, outlines, or other information regarding the City of Detroit's AVCB structure.

2. Hard drives or other storage related to information contained on laptops that were used in each precinct, including the AVCB.

3. All time logs and similar information related to poll watchers and poll challengers at the TCF Center.

4. Copy of all communications with the City of Detroit's poll workers.

5. Hard drives and memory devices for adjudication machines that were used during the AVCB process.

6. List of workers hired to be adjudicators at the TCF Center.

7. Purchase records for high-speed scanners and voting machines used in the 2020 general election.

8. Record of the public accuracy test for all machines used to tabulate votes in the 2020 general election.

9. Record denoting any previous elections in which the voting machines were used.

10. Any and all data from the voting machines used during the AVCB process and in each precinct, including but not limited to, from hard drives, USB drives, or other storage.

11. Record of who was in charge of sign-in and sign-out for poll watchers and poll challengers at the TCF Center at all times during the AVCB process.

12. All policies, instructions, guidance, or other similar documents related to the role or presence of poll watchers and poll challengers at the TCF Center.

13. Any and all written complaints or documents evidencing complaints from those who were at the TCF Center during the AVCB process.

14. Record of communications with the Michigan Republican Party and the Michigan Democratic Party.

15. Any photos, video, or documentation of the walkthrough of the TCF Center on Thursday October 29.

16. Any video surveillance footage from the TCF Center or the AVCB process.

17. Any video or audio recordings related to the processing of AV ballots including, without limitation at the Detroit Department of Election's location 2978 W. Grand Blvd, Detroit, MI 48202.

18. Any written or electronic plans, diagrams, outlines, or depictions of the operations, layout, or processes used in the TCF Center.

19. A full list of the City of Detroit's poll workers and their political party affiliation.

20. All policies or written instructions given to City of Detroit poll workers.

21. Any and all policies, rules, or regulations related to COVID-19 that were relied on by the Director of Elections or City Clerk for the AVCB process.

22. A full list of all staff for the City of Detroit, the County of Wayne, and the Secretary of State that were on site at the TCF Center during the AVCB process at any time.

23. A full list of all staff for the City of Detroit that assisted with the AVCB process that were not on site at the TCF Center and the location of those staff.

24. Any and all notes or other documents created by poll workers relating to discrepancies, issues, or concerns regarding one or more AV ballots, and any written response, instruction, or guidance provided as a result.

25. A copy of the QVF as downloaded by the City of Detroit for the pollbooks used during the AVCB process and any supplements to those pollbooks.

26. A copy of the QVF as used by the City of Detroit for the pollbooks used in each precinct.

27. A copy of all applications and the outer envelopes of the absent-voter ballots processed for the following precincts: 29, 63, 139, 452, and 481.

28. A total of the applications for absent-voter ballots received, ballots sent out, and ballots returned with daily totals.

29. Records of trainings for poll workers including the names of instructors, when the trainings took place, and how many people from each political party attended.

30. Record of the applications for the positions of poll workers by political party.

31. A list of who was authorized to pick up election materials from the Detroit City Clerk's office, ballot drop boxes, or voting centers.

32. A list of who made the pickups and drop-offs during the election this cycle.

33. A record of when each drop-box was emptied on November 3 and whether they were locked.

34. A record of when absent voter ballots were processed and delivered to the TCF Center and by whom they were delivered, including but not limited to, any logs of ballot deliveries to the TCF Center.

35. Particularly relating to social-distancing guidelines, any directions given relating to the rights and duties of challengers and the removal of challengers.

36. Copies of all Affidavit of Absent Voter forms signed in each precinct.

37. Copies of all Affidavit of Voter Not In Possession of Picture Identification signed in each precinct.

38. Copies of all freedom-of-information requests submitted to the Director of Elections or City Clerk related to the 2020 primary or general election from August 4, 2020 to the date of this subpoena.

39. Any and all communications between any employee, agent, or temporary employee of Dominion Voting Systems Corporation ("Dominion") and any employee, public official, or agent of the City of Detroit.

40. Record of all Dominion employees, agents, or temporary employees at the TCF Center during the AVCB process.

41. As required by the stipulated final order in the Michigan Court of Claims case of *Carra* v *Benson*, Case No. 20-000211-MZ, a copy of the amended guidance to local election officials with regard to election challengers that the Michigan Bureau of Elections or Secretary of State provided to the City of Detroit and the date and time that the City of Detroit received that amended guidance.

42. Any records relating to which computers at the TCF Center were connected to the internet.

43. Any and all communications related to the 2020 primary and general elections between the Michigan Department of Health and Human Services and the office of the Director of Elections, City Clerk's office, or any other individual responsible for overseeing or administering those elections.

44. Any and all communications related to the 2020 primary and general elections between the Michigan Bureau of Elections or Office of the Secretary of State and the office of the Director of Elections, City Clerk's office, or any other individual responsible for overseeing or administering those elections.

45. Any and all communications related to the 2020 primary and general elections between Christopher Thomas and the office of the Director of Elections, City Clerk's office, or any other individual responsible for overseeing or administering those elections.

46. Any and all Electronic Pollbook software related to the November 2020 general election.

47. Any and all documents and communications related to the failure of workers at any satellite offices to properly enter and save in the QFV the date on which an AV ballot was received.

48. Any and all documents and communications related to any funding provided by non-governmental persons or entities for purposes of administering the 2020 general election.